

REMARKS/ARGUMENTS

The specification has been revised to conform it to the preferred format for U.S. patent applications as required in the Office Action, and a Substitute Specification and Comparison Copy are submitted herewith.

Claims 47-90 are pending in this application. Claims 1-46 have been canceled.

Applicants note with appreciation that the earlier restriction requirement has been withdrawn and that all claims 1-46 were examined.

Attached hereto is a new ADS which identifies the parent application as a "continuation" which has since issued as patent No. 6,712,695 and which also updates the assignee information.

This application does claim the priority of European Application No. 00101443.0 filed January 25, 2000. A certified copy of that application was filed and can be found in the file of the parent application No. 09/761,439, now patent No. 6,712,695. In view thereof, applicants submit that a further copy of the priority document need not be filed in this application, and applicants request confirmation thereof. However, if Patent Office requirements should have changed and the filing of a certified copy in a continuation application should now be necessary, applicants request that they be correspondingly informed.

The Abstract has been shortened and now does not exceed 150 words.

Attached hereto is a Terminal Disclaimer covering U.S. patent 6,712,695 that issued in the parent application.

In view thereof, applicants request that the double-patenting rejection be withdrawn.

All claims were objected to for a variety of informalities as discussed on pages 5 and 6 of the Office Action. Applicants have carefully reviewed and revised all claims to eliminate the informalities noted in the Office Action.

Due to relatively extensive amendments to the claims, applicants have substituted new claims 47-90 for original claims 1-46.

To assist the Examiner in the further examination, the new and original claims relate to each other as follows:

	<u>Original Claim Numbers</u>	<u>New Claim Numbers</u>
Claims	1-19	47-65
	20-22	none
	23	66
	24-28	none
	29-42	67-80
	43	none
	44-46	81-83
	none	84-90 (new)

35 USC §112 Rejections

Rejected claim 43 has been canceled, thereby making its rejection moot.

Original claims 1-46 were rejected under Section 112 for indefiniteness and for failing to particularly point out and distinctly claim the subject matter applicants regard as their invention. New claims 47-90 have been reworded as compared to their original counterpart claims as follows:

The introduction to claim 47 (which replaces original claim 1) has been revised to make it clear that it is the jackpot system which comprises the items listed following the term “the jackpot system comprising” in lines 2 and 3 of new claim 47.

Reworded claim 47 (as compared to original claim 1) makes it clear that it is the computer engine that has the output rather than the memory. In this connection, applicants note that the “at least one output” need not necessarily be directly connected to the computing engine. However, the computing engine computes the output signal and transmits this via the computer

network to the actual output device, such as a screen or a loudspeaker, for example. Thus, the computing engine will in any event have an output corresponding to that required by claim 47.

With regard to the Section 112 rejection pursuant to paragraph 9(c) of the Office Action, the last part of claim 47 has been reworded to make it clear that the jackpot can be another jackpot of the same jackpot system or another jackpot of a different jackpot system. For example, as is explained at length in the application, two separate casinos can each have their own jackpot systems, but it may be useful to trigger an input from a jackpot of one jackpot system in one casino into a jackpot of a jackpot system organized by another casino, particularly when the two casinos are commonly owned.

With regard to paragraph 9(d) of the Office Action, claim 47 specifies the transfer of “information related to the associated win” since payouts are frequently made at locations other than at the gaming position involved. A payment made at the gaming position involved is ultimately also a transfer of information, since even a simple payment would be accompanied by a separate piece of information which constitutes “news of winning”.

The new claims are worded so that they are free of the objections to the original claims set forth in paragraphs 9(f), (g) and (h) of the Office Action.

Claim 64, which has been substituted for original claim 18, only depends from claim 1, and the additional dependency present in original claim 18 has been deleted. In addition, claims 20-22 have been canceled as applicants’ response to the claim objections set forth in paragraph 9(i) of the Office Action.

Claim 46 (now canceled), which has been replaced by new claim 83, was rejected under Section 112. Claim 83 has been rewritten so that it depends from claim 81 (corresponding to now-canceled claim 44) because claim 83 is directed to a method of testing a jackpot system rather than a jackpot system per se. Claim 83 is now directed to a sequence of method steps.

Before specifically addressing the substantive rejection of original claims 1-23 and 29-46, which correspond to new claims 47-90 as set forth above, applicants take this opportunity to briefly summarize the present invention.

The main concept addressed by the present application is to provide a very flexible way of organizing jackpots in a casino and to make it easy for casino operators to readily configure jackpots.

The invention is described in detail with reference to Figs. 2 to 7 on page 19, line 26 to page 44, line 14 of the original application. An alternative arrangement which falls within the embodiments of the claims is then described with reference to Fig. 10.

Two important elements of Fig. 2 are the "hit generation unit 26" and the increment unit 46. The box 26 labeled "hit generation unit" in Fig. 2 signifies the generation of "hits", i.e. the playing of a game of chance which can lead to a "hit", i.e. a win which is subsequently allocated from the jackpot to one or more players. The hit generation unit 26 is subsequently described in more detail with reference to Fig. 5 and is essentially a selection generator.

The increment unit 46 is shown in Fig. 3 and essentially contains the rules by which inputs from each gaming position associated with the jackpot system will give rise to an increment in the jackpot system, i.e. in the value of the jackpot and, optionally, depending on the rules configured by the casino management, to an increment in a further jackpot system 10' as indicated by the arrow 50. Thus, for example, if both gaming machines and gaming tables are connected to the jackpot, the increment unit 46 determines what proportion of the amount wagered at the gaming machine or of the amount of a side bet at a gaming table is branched off to the jackpot in the jackpot system. Moreover, a whole series of criteria can be included for consideration for the incrementation of the jackpot. For example, the jackpot can be a jackpot restricted to gaming positions in a certain area of the casino or to certain gaming machines with bets of a certain level.

Fig. 4 shows how a jackpot system is initially set up.

Fig. 5 is a particularly important figure because it explains the operation of the hit generation unit 26. As described on page 28, line 20 and seq. of the application as originally filed, one way of realizing the hit generation unit 26 is to configure it as a random number

generator that responds, each time it is triggered, to generate a random number in a specific range. The actual generation of the random number will typically take place in a subroutine identified in Fig. 5 at box 70. The range of numbers within which the random number generator 70 can generate a random number is determined by a so-called dynamic probability matrix in box 72. The function of the dynamic probability matrix (box 72) is to adapt the range of numbers within which the random number generator generates a random number for each trigger signal 74 arriving at the hit generation unit.

As a simple example, the random number generator may be allowed to generate random numbers in the range 1 to 10,000, with the numbers 1, 2, 3, 4, 5 and 6 being associated with wins. These wins can be of the same amount, or of different amounts, or can take the form of physical prizes or other gratuities. This is explained in some detail with reference to Fig. 7.

In a simple arrangement, the hit generation unit will allow one random number to be generated, each time a trigger impulse is received, for example each time a bet is made at a gaming machine or each time a side bet is placed at a gaming table. However, other triggers can be allowed and under some circumstances more than one trigger can be used; i.e. for one action by a player, two random numbers could be generated by the hit generation unit. With this example, the numbers generated by the selection generator, i.e. the hit generation unit, are compared with the paytable to see if the random number generated is a winning number and, if so, the win associated with that random number is transferred to the player or credited to the player and removed from the list of possible wins in the jackpot. Since the origin of the trigger signal which caused the hit generation unit to generate the random number associated with the win is uniquely associated with a specific player, it is also clear that the jackpot award should be made to that player (or to a group of associated players if the casino has configured the jackpot system in this way).

This arrangement in accordance with Fig. 5 is, however, not the only way that the selection generator can work.

One alternative is shown in Fig. 10. Here, a sequence of random numbers in a particular range is generated and the casino decides, typically in advance of the start of game play for the jackpot, that these random numbers constitute winning numbers and again a win is associated with each of the random numbers. This also constitutes a payable.

In this arrangement, each time a bet is made, a counter associated with the hit generation unit is incremented by one, and at some stage the count will equal one of the pre-selected random numbers. In this case the win is then triggered and is paid to the player whose input resulted in the increment of the counter to the winning number.

Ultimately, with this system, it is not necessary for the casino to employ a random number generator to generate numbers at random. Instead, the management can opt to simply select numbers at random to be associated with respective wins. Again, once the counter has reached one of the numbers associated with the win, a win is paid out and indeed to the player whose gaming activity led the counter to be incremented to the winning number.

All claims were rejected for obviousness over two Acres patents, namely patent No. 6,371,852 ("Acres '852") in view of patent No. 5,752,882 ("Acres '882").

Acres '852 was viewed as disclosing a jackpot system, although it was acknowledged that it does not disclose a selection generator. Acres '852 was nevertheless viewed as inherently disclosing the selection of a generator to randomly select an outcome. Although Acres '852 does not teach that the payable is capable of being configured by an operator, Acres '882 was viewed and applied as allowing the operator to configure the payable. As a result, it was deemed obvious to one of ordinary skill in the art to include allowing an operator to configure the payable in order to allow the owner to adjust the winning award.

Acres '852 is directed to a method of providing incentive to play gaming devices connected by a network to a host computer comprising the steps of:

- creating a player account accessible by the host computer,
- applying an incentive credit to the player account,

- providing access to the account responsive to a command initiated by a player at one of the gaming devices,
- debiting the account responsive to a game played at the one gaming device,
- crediting the one gaming device responsive to debiting the account, and
- preventing the applied incentive credit from being cashed out (claim 1 of Acres '852).

Acres '852 is restricted to gaming machines and does not allow the gaming principles described to be applied to games played at gaming tables. Acres '852 is heavily slanted towards carded play, i.e. the use of a player card which uniquely identifies the player (even if it does not include his name). Such cards are useful in player tracking systems which enable a casino to give certain gratuities or awards to players based on their activities in the casino, as is discussed for example in column 1, lines 40-50 of Acres '852.

The Office Action asserts that the system of Acres '852 comprises a plurality of game positions associated with the computer network and refers to column 3, lines 7-16 in this respect. This is not disputed. The Office Action further asserts that the computer network includes a computer engine with a memory and refers in this connection to column 5, lines 10-31. Again, this is not disputed.

Finally, the Office Action asserts with reference to column 7, lines 5-6 and 55-61 of Acres '852 that Acres '852 discloses a payable for comparing the generated selection and transferring the winnings to the gaming position.

Applicants disagree.

Lines 5-6 of column 7 of Acres '852 state that the game played is assumed to result in a 10 coin win based on the payable in EGM 12. EGM 12 is an electronic gaming machine, and the payable referred to is the payable which is incorporated in every gaming machine and which determines the normal wins obtained from the gaming machine. This has nothing to do with the winning of a jackpot. It should further be noted in this connection that

new claim 47 now clearly recites that the payable involved is the payable associated with the jackpot of the jackpot system.

Also, the passage in column 7, lines 55-61 of Acres '852 states that the reference there to a jackpot is a jackpot dictated by the machines at the payable, not to a jackpot dictated by a payable of a jackpot system. In fact, Acres '852 contains no reference to a jackpot system operating with a payable nor to any way of configuring such a payable, while this is an important aspect of the present invention.

The Office Action acknowledges that Acres '852 does not disclose a selection generator, comments that Acres '852 discloses a reel slot machine (and refers to Fig. 2, column 6, lines 42-43 in this respect), and concludes that Acres '852 inherently discloses the well-known selection generator to randomly select an outcome. However, Acres '852 is directed to gaming which is carried out at the machine and not to a jackpot system.

The Office Action further acknowledges that Acres '852 does not teach that the payable is capable of being configured by an operator. As far as gaming machines are concerned, the paytables incorporated in them are not operator configured. Instead, they are set once and for all and have to be approved by the gaming authorities in most jurisdictions.

Thus, applicants submit that Acres '852 is restricted to carded play and is concerned only with the configuration of the gaming machines and has nothing to do with the configuration of a jackpot system.

The rejection of the claims relies on Acres '882 as disclosing allowing the operator to configure the payable and refers to column 6, lines 35-55 of Acres '882 for support.

Here, too, applicants disagree.

Acres '882 teaches that wins made at gaming devices (not gaming tables) and on jackpot systems are paid out at the specific gaming device which triggered the jackpot win. To this extent, it is necessary for the computer control system to be able to change the payout amount at each individual gaming machine to enable the payment of the jackpot win to the

player in addition to a machine win. Thus, the passage relied on in the Office Action refers to the gaming devices and, on receiving a reconfiguration command, reconfiguring the jackpot payout schedules in accordance with the reconfiguration command. Therefore, although Acres '882 is concerned with paying out jackpot wins, it does not anywhere disclose, suggest or provide any information as to how the jackpots themselves are to be configured and organized.

As the foregoing demonstrates, the Office Action seeks to combine two references which do not have any relevance to the actual configuration of a jackpot system per se in an attempt to anticipate the principal claims of the present application, which do relate to the configuration of the jackpot system per se. This combination of references does not lead to the present invention, since the required relevant teaching is absent from both Acres patents. Applicants submit that the rejection of the claims can only be made with hindsight based on knowledge obtained from the present application and invention. Such a rejection of the claims is not well-founded and must be withdrawn.

In view of the foregoing, applicants submit that independent claims 47, 69 and 81 are not obvious over Acres '852 in view of Acres '882 and, therefore, are allowable.

Dependent claims 46-68, 70-80 and 82-90 are directed to specific features of the present invention which are patentable per se. These claims are further allowable because they depend from allowable parent claims.

CONCLUSION

In view of the foregoing, applicants submit that this application is in condition for allowance, and a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4730 (direct dial).

Respectfully submitted,



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